



Trinity River Restoration Program

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March 25, 2017 (revised 4/1/17)

Seth Naman, Chair
Trinity Management Council
c/o Trinity River Restoration Program
P.O. Box 1300
Weaverville, CA 96093

Dear Mr. Naman:

The Trinity Adaptive Management Working Group (TAMWG) met on March 21, 2017 in Weaverville. This letter serves to provide you with a summary of that meeting with our resulting policy and management recommendations, as required by TAMWG's bylaws.

The TAMWG received public comments from Lewiston landowner Dave Wellock on a letter he sent to TAMWG regarding the water level that was let out of the dams and the amount of fish returned. He said he was still confused by the response about the tributaries being high, high water levels, or malfunction of the dam gates. He also did not get a direct answer on the fish returns but was told that they let a lot of young fish out. He also commented on the TAMWG bylaws and on the makeup of the members. He did not see representatives for agriculture water users, timber, ranchers, or those with water rights.

Joe Polos, DFO, said that the TAMWG did have agriculture representatives but they recently resigned and new representatives are being vetted in Washington DC. He would like to talk with Wellock about getting names for representatives from other groups for TAMWG membership.

John Letton from Indian Creek Lodge commented that he appeared at a TMC meeting about a year ago about changes made in the increased flows in the spring without notifying business such as his. He expressed his gratitude for the Program for addressing that. He noted a new rumor about increased flows for safety of dam releases and just this rumor started cancellations at his lodge. He asked that the Program be aware of the ripple effects of comments such as they are thinking about increased releases.

Ken Lindke Environmental Scientist with CDFW provided estimates of fish returns for the Klamath entire basin were just over 27,000 fall Chinook, with just under 5,000 of these to the Trinity basin excluding the hatchery; the hatchery had an additional 1500 Chinook returns. These were the lowest returns on record since 1978 when record keeping was started. It is only the **fourth** time that spring Chinook outnumbered fall Chinook, the other times were in **1990, 1993 and 2002** because of the Lower Klamath fish kill. Three alternatives being considered by the Pacific Fisheries Management Council all involve the closure of all ocean fishing for Klamath management zone; two of these alternatives limit in-river recreational harvest to

approximately 125 adults, the third alternative is to close recreational fishing in the river. Another idea is have a jack-only fishery. This data is on the Pacific Fisheries Management Council website.

DFO Joe Polos reported that the TAMWG charter was renewed in December 2016. He reported that a couple of agenda items didn't make it into the Federal Register because the lead times to provide notice have been extended due to the new Administration.

The TAMWG unanimously elected Tom Stokely as Chairman and Darren Mierau as Vice-Chairman.

Executive Director Caryn Huntt gave the Executive Director's report.

Science Coordinator Jenny Norris gave the science update and work group updates.

Implementation Branch Chief Mike Dixon gave the implementation update.

TMC Chair Seth Naman gave a report from the TMC.

During discussion of the Solicitation for the Refinements to the Trinity River Restoration Program, TAMWG member Paul Hauser of Trinity PUD commented that the CVP power users pay a significant portion of the Bureau of Reclamation's CVP budget. The costs of energy from the CVP are higher than open-market costs due to renewable energy. The power users are cutting their budget payments to the region to match those that they would pay on the open market. The power users may renew their contracts in 2024 for another 20 years but they can go to the open market for their energy. They don't see the sense of paying the additional costs if there are no benefits to fish. Without some major reform or cost reductions, the power users stand to walk away and this will be a major loss for the Central Valley Project, and Hauser did not think the Bureau of Reclamation has a way to replace the funds via increased appropriations. He said that CVP power users are cutting payments to the CVP by \$3 million in 2020, \$7 million in 2021 and \$16 million in 2022. He said the power customers cannot dictate where Reclamation will make the cuts but it is possible that restoration program budgets such as Trinity may go down as a result. Hauser also noted that Trinity and Lewiston dam releases of 3600 cfs maximize power generation.

Andreas Krause, Yurok Tribe, and coordinator to the Flow Workgroup gave a slide presentation on the alternatives for the 2017 flow schedule for wet and extremely wet water years. The water year is likely to be one or the other.

Jenny Norris, Science Program Coordinator presented an overview on the Adaptive Management Framework.

Dave Gaeuman, staff hydrologist presented the rationale and alternatives for gravel augmentation for wet and extremely wet water years.

The TAMWG discussed upcoming agenda items for the TMC meeting March 27-28.

The TAMWG passed the following motions:

Kelli Gant made a motion to accept the December meeting minutes with the minor edits submitted by Joe Polos.

Ed Duggan seconded the motion.

The motion passed unanimously.

Mike McCarthy nominated Tom Stokely as chair of the TAMWG.

Ed Duggan seconded the nomination.

The nomination passed unanimously by voice vote.

Ed Duggan nominated Darren Mierau as Vice Chair of TAMWG.

Paul Catanese seconded the nomination.

The nomination passed unanimously by voice vote.

Paul Hauser made a motion that the TMC have the science solicitation proposal be sent to TAMWG.

Rich Lorenz seconded the motion.

The motion passed unanimously.

Tom Stokely made a motion that the TMC cancel the funding for the “Proposal to Address Refinements Trinity River Restoration Program,” unless or until the TMC adopts the following into their bylaws as recommended by the 2008 Trinity River Situation Assessment Report by CDR Associates (pages 26 and 27):¹

1. Shift the voting process from a supermajority to a simple majority.
2. Require a TMC member with a specific programmatic or financial interest in that outcome of a decision by that body to recuse themselves from voting on that issue.
3. Enlarge the number of voting members on the TMC to provide for a representation of a broader number of interests, and to increase the number of disinterested parties who could vote on programmatic or financial issues where other TMC members have direct interest. This could involve adding some other government entities (the Bureau of Land Management, the Natural Resources Management Agency, or Humboldt County) or some members of TAMWG. If members of TAMWG were added to the TMC, consideration should be given to dissolving TAMWG, as its functions would probably be duplicative to the newly constituted TMC.

¹ See <http://odp.trrp.net/Data/Documents/Details.aspx?document=2296>

The TAMWG believes that spending up to \$250,000 on a the proposed “Refinements” contract would be a total waste of money because the TMC is clearly unable to reform itself. The 2008 Trinity River Situation Assessment Report contains numerous suggestions, but the above suggestions point out the core problems with the TMC.

The self-dealing nature of the TMC whereby member entities can vote on their own funding and block motions to do otherwise because of supermajority voting rules is inherently corrupt. The TMC consistently rejects many of the TAMWG’s recommendations and doesn’t even give the TAMWG Chair a vote on the TMC, leading to tremendous frustration by TAMWG members. The TAMWG favors dissolving the TAMWG and merging it with the TMC, similar to the old Trinity River Task Force. It is duplicative and wasteful for staff and other participants to have two different groups discussing the same issues.

It is unreasonable to think that spending a quarter of a million dollars on a new report will result in any new information that has not already been considered and rejected by the TMC. The TAMWG has consistently made recommendations to end the self-dealing nature of the TMC since 2007 to no avail.² We see no reason why spending more money on this obvious problem will make any difference.

An intelligent contractor could simply put a cover sheet on the Trinity River Situation Assessment Report and/or reword the suggestions. As long as the TMC is unwilling and unable to reform its self-dealing nature and allow stakeholders full participation, the proposed contract to “refine” the Trinity River Restoration Program is a total waste of precious funds that could be better used for on-the-ground restoration.

Paul Hauser seconded the motion.

The motion passed with nine yes votes, two no votes, and one abstention.

Kelli Gant made a motion to accept the recommended flow for the Wet Year and Alternative 2 for the Extremely Wet Year. Alternative 2 would have less impact on power generation with minor effects on ecological objectives.

Paul Hauser seconded the motion.

The motion passed with nine yes votes and one no vote. A dissenting opinion by David Steinhauser is attached. It does not reflect the dissenting opinion by Darren Mierau.

Ed Duggan made a motion that a maximum of 2800 cubic yards of gravel be added for Wet or Extremely Wet Water years.

Kelli Gant seconded the motion.

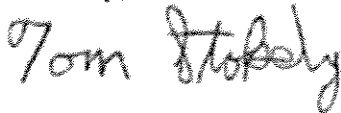
² See attached TAMWG letters to TMC Chairman dated June 19, 2007, June 16, 2008, June 16, 2009 and September 28, 2016

The motion passed with six yes votes and four no votes.

The next TAMWG meeting will be June 5 and 6. Likely agenda items will Hoopa Valley harvest weir/restoration/hatchery management by Danny Jordan (HVT), safety of dams issues, reasons for the fish declines, gravel augmentation and pool filling, cost comparison of no-bid versus competitive bidding, fall flow updates, and water year modeling and forecasting.

Please contact me if you have any questions. I will be attending the upcoming TMC meeting to present this letter.

Sincerely,



Tom Stokely, Chairman
Trinity Adaptive Management Working Group

Attachments:

1. Dissenting opinion by David Steinhauser on motion regarding Solicitation for Refinement of Trinity River Restoration Program.
2. TAMWG letters to TMC Chairman dated June 19, 2007, June 16, 2008, June 16, 2009 and September 28, 2016